

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF BARTELL HOTELS, a California Limited Partnership, dba Half Moon Anchorage	COURT CASE NUMBER 07 CV 2097 L CBLM
DEFENDANT MIY CLAIRE IRENE, a 1968 Owens Motor Yacht, approx. 40 feet in length and 11 feet in beam, California DMV Registration No. CF 8646 ED, and all her engines, etc., in rem	TYPE OF PROCESS IN REM VESSEL SEIZURE
SERVE MIY CLAIRE IRENE, a 1968 Owens Motor Yacht, approx. 40 feet in length and 11 feet in beam, CA DMV Registration No. CF 8646 ED, and all her engines, etc., in rem AT Half Moon Anchorage, 2131 Shelter Island Dr., San Diego, CA 92106	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

WEISS & JONES
Attn: Philip Weiss, Esq.
1551 Shelter Island Dr.
San Diego, CA 92106

Number of process to be served with this Form - 285

Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

PLEASE SEIZE, TAKE INTO CUSTODY AND POST COMPLAINT/ARREST DOCUMENTS ON THE DEFENDANT VESSEL MIY CLAIRE IRENE, a 1968 Owens Motor Yacht of approx. 40 feet in length and 11 feet in beam, California DMV Registration No. CF 8646 ED where she lies at Half Moon Anchorage, as instructed by court order as soon as possible. Please contact Brad Oliver in advance to advise of date and time of seizure. Brad Oliver, Marina Manager at (619) 224-3411 ext. 301.

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

DATE

619-225-8884

10/30/07

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin af No. af	District to Serve af No. af	Signature of Authorized USMS Deputy or Clerk A Scott	Date 11/07/07
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service 2-6-08	Time 9:20 am
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Signature of U.S. Marshal or Deputy

[Signature]

Service Fee \$45-	Total Mileage Charges (including endeavors) \$5.37	Forwarding Fee	Total Charges 50.37	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS: **1 deputy @ 45 hr.**

COPY

1 WEISS & JONES
 2 Philip E. Weiss, Esq. (No. 152523)
 3 1551 Shelter Island Drive
 4 San Diego, California 92106
 5 Telephone: (619) 225-8884
 6 Facsimile: (619) 225-8801

7 Attorneys for Plaintiff
 8 Bartell Hotels, a California Limited Partnership,
 9 dba Half Moon Anchorage

10
 11 UNITED STATES DISTRICT COURT
 12 SOUTHERN DISTRICT OF CALIFORNIA

13 BARTELL HOTELS, A California Limited
 14 Partnership, dba HALF MOON ANCHORAGE,

15 Plaintiff,

16 v.

17 M/Y CLAIRE IRENE, a 1968 Owens Motor
 18 Yacht of Approximately 40-Foot In Length And
 19 11-Foot In Beam, Bearing California D.M.V.
 20 Registration No. CF 8646 ED, AND ALL OF
 21 HER ENGINES, TACKLE, ACCESSORIES,
 22 EQUIPMENT, FURNISHINGS AND
 23 APPURTENANCES, *in rem*,

24 Defendant.

Case No. 07cv2097-L(BLM)

IN ADMIRALTY

~~SECOND~~ WARRANT FOR ACTION
 IN REM

F.R.C.P. Supplemental Admiralty
 Rules C and E.

46 U.S.C. Sections 30101-31343

25 TO THE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF CALIFORNIA:

26 WHEREAS a Verified Complaint has been filed in this Court in the above-entitled action
 27 against the Defendant Vessel M/Y CLAIRE IRENE, a 1968 Owens Motor Yacht of
 28 Approximately 40-Foot In Length And 11-Foot In Beam, Bearing California D.M.V. Registration
 No. CF 8646 ED, and all of her engines, tackle, accessories, equipment, furnishings and
 appurtenances, and all other necessities thereunto appertaining and belonging (hereinafter
 "DEFENDANT VESSEL") upon admiralty and maritime lien claims for trespass, breach of

1 maritime wharfage contract and *quantum meruit*, seeking damages accruing in an amount of not less
 2 than \$4,389.00, plus \$60.00 per day beginning September 21, 2007 on these Counts, and for other
 3 reasons and causes therein stated, and praying for process of warrant for the arrest of said
 4 DEFENDANT VESSEL and appurtenances, and that all persons with an interest in the said vessel
 5 and/or her appurtenances be cited to answer, and that the said vessel and her appurtenances may for
 6 the causes in the said Complaint be condemned and sold to pay the demands of the Plaintiff.

7 **YOU ARE HEREBY COMMANDED** to attach the said DEFENDANT VESSEL and her
 8 appurtenances, and to detain the same in your custody, or in the custody of an authorized Substitute
 9 Custodian, until the further Order of the Court respecting the same, and to give due notice to all
 10 persons claiming the same or having anything to say why the same should not be condemned and
 11 sold pursuant to the Prayer of the said Verified Complaint, that they must file their claim with the
 12 Clerk of this Court within 10 days after execution of this process, or within such additional time as
 13 may be allowed by the Court, and must serve their answers within 20 days after the filing of their
 14 claims.

15 **YOU ARE FURTHER COMMANDED** to file this process in this Court with your return
 16 thereon promptly after execution thereof, and mail a copy thereof to the attorney at whose request
 17 the execution was effected.

18 DATED: January 10, 2008

Feb 1, 2008

UNITED STATES DISTRICT COURT CLERK

19 By: 

20 Deputy Clerk **M. Jenkins**

21 Respectfully submitted on January 10, 2008 by:

22 WEISS & JONES

23 By: 

24 Philip E. Weiss, Esq.
 25 Attorneys for Plaintiff
 26 Bartell Hotels, a California Limited Partnership,
 27 dba Half Moon Anchorage